

REMARKS

Claims 1-18 are pending in the application. The Examiner has rejected Claims 1-12 and 14-17 under 35 U.S.C. §102(e) as being anticipated by Ostberg et al. (U.S. Patent 6,504,830). The Examiner has rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over Ostberg et al. in view of Nystrom et al. (U.S. Patent 6,526,091).

In addition, the Examiner has objected to the drawings, namely figure 6, under 37 C.F.R. §1.83(a) as not containing "descriptive wording". Applicant respectfully submits that the Examiner is incorrect in his objection in that drawings do not require "descriptive wording". 37 C.F.R. §1.83(a) states, "The drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)." No "descriptive wording" is required. 37 C.F.R. §1.83(a) requires a "labeled representation", which is sufficiently satisfied by the rectangular dashed lined box and the label "610". Further, element 610 of Fig. 6 (the figure objected to by the Examiner) is clearly defined in the Specification as a despreader. Thus the requirements of §1.83(a) have been met. Based on the foregoing, withdrawal of the objection of figure 6 is respectfully requested.

The Examiner has also stated that the Declaration is defective in that it recites the incorrect priority date of KPA 1999-14737. Applicant respectfully submits that Declaration as filed is a facsimile of the original Declaration and the priority date is in poor print quality, but contains the correct priority date, namely, April 24, 1999 or "24/4/1999". The Examiner has requested that a new Declaration be submitted. Attached hereto is a new Declaration executed by the inventor, Mr. Chae-Man Lim. Applicant is filing a new Declaration, but maintains that the original Declaration is accurate in that the original Declaration contains the proper priority date of April 24, 1999, but in a poor print quality. Withdrawal of Examiner's statements that the Declaration is defective is respectfully requested.

Regarding the rejections of independent Claims 1, 5, 9 and 14, the Examiner states that Ostberg anticipates the elements recited in the claims. Ostberg discloses a method, apparatus and system for fast base synchronization and sector identification. Each of independent Claims 1, 5, 9

and 14 recite three specific codes, namely a first synchronization code, a base station group specific code, and a base station specific code. Ostberg does not disclose using these three codes to conduct a cell search. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 1, 5, 9 and 14 is respectfully requested.

Further, Claims 1 and 5 of the present application are further distinguishable over Ostberg et al. According to Claims 1 and 5 of the present application, a base station specific code is separately transmitted; and, the base station specific code and a base station group specific code are transmitted on the same channel (S-SCH). Based on at least the foregoing arguments, withdrawal of the rejections of Claims 1 and 5 is respectfully requested. This is neither disclosed or suggested in Ostberg et al.

Further, Claims 9 and 14 of the present application are further distinguishable over Ostberg et al. According to Claims 9 and 14 of the present application, the base station specific code and the base station group specific code are received on the same channel (S-SCH); and, cell search according to the present invention is accomplished through two steps only, without receiving a BCCH, while cell search according to Ostberg et al. is accomplished through three steps. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 9 and 14 is respectfully requested.

Still further, regarding the rejection of Claims 2, 4, 6 and 8, said claims limit the channel to a broadcast channel in addition to a P-SCH and S-SCH, and Applicant submits that said claims are distinguishable over Ostberg et al. on the same grounds as stated above with respect to Claims 1 and 5. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 2, 4, 6 and 8 is respectfully requested.

Regarding the rejection of Claims 10, 12, 15 and 17, said claims relate to the inner composition of a cell search apparatus according to the present invention. Applicant respectfully submits that said claims are distinguishable over Ostberg et al. First, a correlating operation and a detecting operation for an actual cell search in the present application are accomplished through a two step process, not through three steps as in a conventional cell search as set forth in Ostberg et al. And further, the arguments, withdrawal of applicable to claims 9 and 14 also apply to Claims 10, 12, 15 and 17. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 10, 12, 15 and 17 is respectfully requested.

Regarding the rejection of claims 11 and 16, said claims also relate to the inner composition of a cell search apparatus according to the present invention, and are thus distinguishable over Ostberg et al. A shift operation and a maximum correlation detecting operation for an actual cell search in the claims of the present application are accomplished through two steps, not through three steps as in a conventional cell search as set forth in Ostberg et al. And further, the arguments applicable to claims 9 and 14 also apply to Claims 11 and 16. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 11 and 16 is respectfully requested.

As a final note, the Examiner states, "the application currently names joint inventors". It is respectfully submitted that the present application only names one inventor. Withdrawal of the statement made by the Examiner regarding joint inventors is respectfully requested.

Independent Claims 1, 5, 9 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6-8, 10-13 and 15-18, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6-8, 10-13 and 15-18 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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